## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Electronic Version v11

Stylesheet Version v10

| **Title of Invention** | OPTICAL RECORDING APPARATUS CAPABLE OF OPTIMIZING WRITE DEFOCUS AND METHOD THEREOF |
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As the below named inventors, we declare that:

This declaration is directed to the invention titled: " OPTICAL RECORDING APPARATUS CAPABLE OF OPTIMIZING WRITE DEFOCUS AND METHOD THEREOF"

We believe that we are the original and first inventors of the subject matter which is claimed and for which a patent is sought;

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

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